

1 JOSEPH P. RUSSONIELLO (CASBN 44332)
United States Attorney

2 BRIAN J. STRETCH (CASBN 163973)
3 Chief, Criminal Division

4 DAVID R. CALLAWAY (CASBN 121782)
Assistant United States Attorney

5 150 Almaden Boulevard, Suite 900
6 San Jose, California 95113
7 Telephone: (408) 535-5596
Facsimile: (408) 535-5066
E-Mail: david.callaway@usdoj.gov

8 Attorneys for Plaintiff

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 JOHN D. SAVAGE, JR.,

17 Defendant.

No. CR 94-20072 PVT

GOVERNMENT'S REQUEST TO DISMISS
INFORMATION AND RECALL ANY
OUTSTANDING WARRANTS ISSUED
THEREON; ORDER ~~PROPOSED~~

18
19
20 COMES NOW THE UNITED STATES OF AMERICA appearing through the undersigned
21 Assistant United States Attorney and moves this Honorable Court for an order dismissing the above-
22 captioned Information and recalling any outstanding warrants issued based on that Information. The
23 facts supporting this request are as follows:

24 Defendant was charged by Information on September 13, 1994, and by Superseding
25 Information on September 21, 1994. The court's docket reflects no further activity. In view of the
26 age of the case, and its status as a misdemeanor, the government respectfully asks the Court to
27 dismiss the Information in the interests of justice, and to recall any outstanding warrants issued
28 thereon.

Request to Dismiss Information; Order

FILED

2010 JAN 20 P 2:14

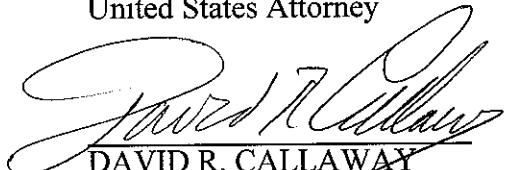
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
N.D. CA - SAN JOSE

1 Accordingly, the government respectfully requests that the above-captioned Information be
2 dismissed and that any warrants issued thereon be recalled.

3 DATED: January 18, 2010

4 Respectfully submitted,


5 JOSEPH P. RUSSONIELLO
6 United States Attorney

7 
8 DAVID R. CALLAWAY
9 Assistant United States Attorney

10 **ORDER**

11 Upon application of the United States, and good cause having been shown therefor,

12 **IT IS HEREBY ORDERED** that the above-captioned Information is DISMISSED, and
13 any warrants outstanding against this defendant are RECALLED.

14 
15 PATRICIA V. TRUMBULL
16 United States Magistrate Judge

17 1/19/2010
18
19
20
21
22
23
24
25
26
27
28